

EXHIBIT H

EXHIBIT F
Challenged Withholdings

OFFICE OF PUBLIC AFFAIRS OFFICIALS¹

<u>Name</u>	<u>Title</u>
Michael Short	Director
Erica Richardson	Former Director
Donna Faulk-White	Deputy Director
Dennis Holden	Former Associate Deputy Direction [sic]
Antoinette Turner	Public Affairs Specialist
Michelle Woodland	Web Content Specialist
Chanel Smith	Staff Assistant
Michael Katz	Consultant

I. PUBLIC AFFAIRS DOCUMENTS²

<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
1	Kobre-Kim-CFTC-0000539³	Grimm, Daniel DGrimm@cftc.gov	McDonald, James JMcDonald@cftc.gov	FW: Kraft Case Ending Press Release 6.2.19 JMM edits	8/5/2019 16:37	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7/7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email contains mental impressions and opinions about Settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.	
2	Kobre-Kim-CFTC-0000543	Short, Michael MShort@cftc.gov	Howell, Robert RHowell@cftc.gov	Wedewer, Harry E HWedewer@cftc.gov	RE: Kraft -- Case Ending	8/5/2019 14:22	Exemption 5 Attorney-Client Privilege	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about

¹ The information in this table comes directly from the CFTC's list of custodians. See Dkt. No. 35, Ex. 2 at 5.

² This table contains relevant excerpts from the CFTC's *Vaughn* index. See Dkt. No. 35, Ex. 1.

³ The CFTC's *Vaughn* index lists only Daniel Grimm and James McDonald as parties to the communication. See Dkt. No. 35, Ex. 1 at 11. But the underlying document shows that Michael Short was also a party to the redacted communication.

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I. PUBLIC AFFAIRS DOCUMENTS ²								
<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
		Lowe, Gretchen L GLowe@cftc.gov	McDonald, James JMcDonald@cftc.gov McGonagle, Vincent A. VMcgonagle@cftc.gov Williamson, Scott R SWilliamson@cftc.gov Gradman, Susan J SGradman@cftc.gov Grimm, Daniel DGrimm@cftc.gov	Press Release 6.2.19 -- JMM edits		Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7/7(A) Ongoing Enforcement Matter	tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.	
3	Kobre-Kim-CFTC-0001167⁴	McGonagle, Vincent A VMcgonagle@cftc.gov	Lowe, Gretchen L GLowe@cftc.gov	FW: Kraft – Case Ending Press Release 6.2.19 -- JMM edits	8/5/2019 17:38	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7/7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.	
4	Kobre-Kim-CFTC-0003921	Pizzola, Chelsea CPizzola@cftc.gov	Short, Michael MShort@cftc.gov	Grimm, Daniel DGrimm@cftc.gov Thornton, Charlie	RE: Updated Kraft release	8/8/2019 9:42	Exemption 5 Attorney-Client Privilege	Email reflecting predecisional deliberative process regarding what to communicate to the public about

⁴ The CFTC's *Vaughn* index only lists Vincent McGonagle and Gretchen Lowe as parties to the communication. *See* Dkt. No. 35, Ex. 1 at 56. But the underlying document shows that Michael Short was also a party to the redacted communication.

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<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>
		Klima, Jaime <u>JKlima@cftc.gov</u>	<u>cthornton@cftc.gov</u>			Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7/7(A) Ongoing Enforcement Matter	tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The email chain also contains information that, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
5	Kobre-Kim- CFTC- 0003982	Short, Michael <u>/O=CFTC/OU=EXC</u> <u>HANGE</u> <u>ADMINISTRATIV</u> <u>E GROUP</u> <u>(FYDIBOHF23SPD</u> <u>LT)/CN=RECIPIEN</u> <u>TS/CN=09F</u> <u>1D30F0676457784F</u> <u>184D196BA97C8-</u> <u>SHORT,</u> <u>MICHAEL</u>	Klima, Jaime <u>JKlima@cftc.gov</u> Grimm, Daniel <u>DGrimm@cftc.gov</u> Pizzola, Chelsea <u>CPizzola@cftc.gov</u>	FW: Updated Kraft release	8/8/2019 9:41	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7/7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The email chain also contains information that, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
6	Kobre-Kim- CFTC- 0003986	Short, Michael <u>/O=CFTC/OU=EXC</u> <u>HANGE</u> <u>ADMINISTRATIV</u> <u>E GROUP</u> <u>(FYDIBOHF23SPD</u> <u>LT)/CN=RECIPIEN</u> <u>TS/CN=09F</u>	Klima, Jaime <u>JKlima@cftc.gov</u> Grimm, Daniel <u>DGrimm@cftc.gov</u> Pizzola, Chelsea <u>CPizzola@cftc.gov</u> Thornton, Charlie <u>cthornton@cftc.gov</u>	Updated Kraft release	8/7/2019 19:11	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7/7(A)	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal

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I. PUBLIC AFFAIRS DOCUMENTS²

<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
	<u>1D30F0676457784F</u> <u>184D196BA97C8-</u> <u>SHORT</u> <u>MICHAEL</u>					Ongoing Enforcement Matter	advice as to what to communicate to the public. The email chain also contains information that, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.	
7	Kobre-Kim-CFTC-0003930	Grimm, Daniel <u>DGrimm@cftc.gov</u>	Short, Michael <u>MShort@cftc.gov</u>	Klima, Jaime <u>JKlima@cftc.gov</u>	RE: Kraft: press release language	8/2/2019 13:39	Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
8	Kobre-Kim-CFTC-0003932	Grimm, Daniel <u>DGrimm@cftc.gov</u>	Short, Michael <u>MShort@cftc.gov</u>	Klima, Jaime <u>JKlima@cftc.gov</u>	E: Kraft: press release language	8/2/2019 10:57	Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
9	Kobre-Kim-CFTC-0003946⁵		Grimm, Daniel <u>DGrimm@cftc.gov</u>	Klima, Jaime <u>JKlima@cftc.gov</u>	RE: Kraft: press release language	8/2/2019 9:10	Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
10	Kobre-Kim-CFTC-0003989	Short, Michael <u>/O=CFTC/OU=EXCHANGE</u>	Grimm, Daniel <u>DGrimm@cftc.gov</u>	Klima, Jaime <u>JKlima@cftc.gov</u>	RE: Kraft: press release language	8/2/2019 13:36	Exemption 5 Deliberative Process Privilege Exemption 7\7(A)	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft

⁵ The CFTC's *Vaughn* index only lists Daniel Grimm and Jaime Klima as parties to the communication. See Dkt. No. 35, Ex. 1 at 66. But the underlying document shows that Michael Short was also a party to the redacted communication.

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<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
	<u>ADMINISTRATIVE GROUP</u> <u>(FYDIBOHF23SPDLT)/CN=RECIPIENT/CN=09F</u> <u>1D30F0676457784F</u> <u>184D196BA97C8-</u> <u>SHORT,</u> <u>MICHAEL</u>					Ongoing Enforcement Matter	case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.	
11	Kobre-Kim-CFTC-0003995	Short, Michael <u>/O=CFTC/OU=EXCHANGE</u> <u>ADMINISTRATIVE GROUP</u> <u>(FYDIBOHF23SPDLT)/CN=RECIPIENT/CN=09F</u> <u>1D30F0676457784F</u> <u>184D196BA97C8-</u> <u>SHORT,</u> <u>MICHAEL</u>	Grimm, Daniel <u>DGrimm@cftc.gov</u>	Klima, Jaime <u>JKlima@cftc.gov</u>	RE: Kraft: press release language	8/2/2019 10:05	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
12	Kobre-Kim-CFTC-0003999	Short, Michael <u>/O=CFTC/OU=EXCHANGE</u> <u>ADMINISTRATIVE GROUP</u> <u>(FYDIBOHF23SPDLT)/CN=RECIPIENT/CN=09F</u> <u>1D30F0676457784F</u> <u>184D196BA97C8-</u> <u>SHORT,</u> <u>MICHAEL</u>	Grimm, Daniel <u>DGrimm@cftc.gov</u>	Klima, Jaime <u>JKlima@cftc.gov</u>	RE: Kraft: press release language	8/2/2019 9:29	Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
13	Kobre-Kim-CFTC-0004096	Turner, Antoinette aturner@cftc.gov	Hynes, Lucy LHynes@cftc.gov Dunfee, John jdunfee@cftc.gov	Short, Michael MShort@cftc.gov Faulk-White, Donna DFaulk-White@cftc.gov	RE: (Follow-up) FINAL Kraft Concurrence 8-19	8/13/2019 9:57	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative communications about settlement strategy and what to communicate to the public about Commissioners' views on proposed settlement of the Kraft case. In addition the email contains information communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims. In addition the email contains information communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims and public communications in the Kraft case. Finally, the email chain contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
14	Kobre-Kim-CFTC-0004557	Short, Michael MShort@cftc.gov	Grimm, Daniel DGrimm@cftc.gov	Klima, Jaime JKlima@cftc.gov	RE: Kraft: press release language	8/2/2019 13:36	Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
15	Kobre-Kim-CFTC-0004563	Grimm, Daniel DGrimm@cftc.gov	Short, Michael MShort@cftc.gov	Klima, Jaime JKlima@cftc.gov	RE: Kraft: press release language	8/2/2019 10:57	Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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Bates Number	Email From	Email To	Email CC	Email Subject	Email Date	Asserted Grounds for Withholding	Purported Explanation for Withholding	
16	Kobre-Kim-CFTC-0004568	Short, Michael MShort@cftc.gov	Grimm, Daniel DGrimm@cftc.gov	Klima, Jaime JKlima@cftc.gov	RE: Kraft: press release language	8/2/2019 10:05	Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
17	Kobre-Kim-CFTC-0004572	Short, Michael MShort@cftc.gov	Grimm, Daniel DGrimm@cftc.gov	Klima, Jaime JKlima@cftc.gov	RE: Kraft: press release language	8/2/2019 9:29	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
18	Kobre-Kim-CFTC-0004635	Grimm, Daniel DGrimm@cftc.gov	Short, Michael MShort@cftc.gov	Klima, Jaime JKlima@cftc.gov	RE: Kraft: press release language	8/2/2019 13:39	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
19	Kobre-Kim-CFTC-0005006	Howell, Robert RHowell@cftc.gov	Short, Michael MShort@cftc.gov Lowe, Gretchen L GLowe@cftc.gov	Wedewer, Harry E HWedewer@cftc.gov McDonald, James JMcDonald	RE: Kraft -- Case Ending Press Release 6.2.19 -- JMM edits	8/5/2019 16:07	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email contains mental

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<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
			@cftc.gov McGonagle, Vincent A. VMcgonagle @cftc.gov Williamson, Scott R SWilliamson @cftc.gov Gradman, Susan J SGradman @cftc.gov Grimm, Daniel DGrimm@cftc.gov			Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.	
20	Kobre-Kim- CFTC- 0005010	Short, Michael MShort@cftc.gov	Howell, Robert RHowell@cftc.gov Lowe, Gretchen L GLowe@cftc.gov	Wedewer, Harry E HWedewer @cftc.gov McDonald, James JMcDonald @cftc.gov McGonagle, Vincent A. VMcgonagle @cftc.gov Williamson, Scott R SWilliamson @cftc.gov Gradman, Susan J SGradman @cftc.gov Grimm, Daniel DGrimm@cftc.gov	RE: Kraft -- Case Ending Press Release 6.2.19 -- JMM edits	8/5/2019 14:22	Exemption 5 Deliberative Process Privilege	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
21	Kobre-Kim- CFTC- 0005175⁶	Grimm, Daniel <u>/O=CFTC/OU=EXC HANGE ADMINISTRATIV E GROUP (FYDIBOHF23SPD LT)/CN=RECIPIEN TS/CN=GRI MM, DANIELFFE</u>	McDonald, James <u>JMcDonald @cftc.gov</u>		FW: Kraft -- Case Ending Press Release 6.2.19 -- JMM edits	8/5/2019 16:37	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
22	Kobre-Kim- CFTC- 0005194	Grimm, Daniel <u>/O=CFTC/OU=EXC HANGE ADMINISTRATIV E GROUP (FYDIBOHF23SPD LT)/CN=RECIPIEN TS/CN=GRI MM, DANIELFFE</u>	Short, Michael <u>MShort@cftc.gov</u>		Statement for Kraft press release	7/30/2019 12:16	Exemption 5 Deliberative Process Privilege Exemption 7\7(A) Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

II. DRAFT PRESS RELEASES ⁷			
<u>Bates Number</u>	<u>Asserted Grounds for Withholding</u>		<u>Purported Explanation for Withholding</u>
23	Kobre-Kim-CFTC-0000541	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about

⁶ The CFTC's *Vaughn* index only lists Daniel Grimm and James McDonald as parties to the communication. *See* Dkt. No. 35, Ex. 1 at 72. But the underlying document shows that Michael Short was also a party to the redacted communication.

⁷ This table contains relevant excerpts from the CFTC's *Vaughn* index. *See* Dkt. No. 35, Ex. 1.

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II. DRAFT PRESS RELEASES⁷			
Bates Number		Asserted Grounds for Withholding	Purported Explanation for Withholding
		Exemption 5: Deliberative Process Privilege Exemption 77(A): Ongoing Enforcement Matter	tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
24	Kobre-Kim-CFTC-0000545	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
25	Kobre-Kim-CFTC-0000552	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 77(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
26	Kobre-Kim-CFTC-0000563	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 77(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
27	Kobre-Kim-CFTC-0000956	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 77(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced,

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II. DRAFT PRESS RELEASES⁷			
Bates Number	Asserted Grounds for Withholding	Purported Explanation for Withholding	
			could reasonably be expected to interfere with the Kraft enforcement proceeding.
28	Kobre-Kim-CFTC-0001054	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
29	Kobre-Kim-CFTC-0001169	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
30	Kobre-Kim-CFTC-0001412	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
31	Kobre-Kim-CFTC-0001721	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft reflecting pre-decisional deliberative communications about settlement strategy and what to communicate to the public about Commissioners' views on proposed settlement of the Kraft case. In addition the draft contains information communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. Finally, the email

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II. DRAFT PRESS RELEASES⁷			
Bates Number		Asserted Grounds for Withholding	Purported Explanation for Withholding
32	Kobre-Kim-CFTC-0002593	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
33	Kobre-Kim-CFTC-0002611	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
34	Kobre-Kim-CFTC-0002845	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
35	Kobre-Kim-CFTC-0002848	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if

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<u>Bates Number</u>		<u>Asserted Grounds for Withholding</u>	<u>Portrayed Explanation for Withholding</u>
			produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
36	Kobre-Kim-CFTC-0003528	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
37	Kobre-Kim-CFTC-0003543	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
38	Kobre-Kim-CFTC-0003793	Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
39	Kobre-Kim-CFTC-0003924	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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Bates Number		Asserted Grounds for Withholding	Purported Explanation for Withholding
40	Kobre-Kim-CFTC-0003928	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
41	Kobre-Kim-CFTC-0003934	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
42	Kobre-Kim-CFTC-0003957	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
43	Kobre-Kim-CFTC-0003960	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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Bates Number		Asserted Grounds for Withholding	Portrayed Explanation for Withholding
44	Kobre-Kim-CFTC-0003984	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
45	Kobre-Kim-CFTC-0003987	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
46	Kobre-Kim-CFTC-0003991	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
47	Kobre-Kim-CFTC-0003996	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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Bates Number		Asserted Grounds for Withholding	Purported Explanation for Withholding
48	Kobre-Kim-CFTC-0004000	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
49	Kobre-Kim-CFTC-0004099	Exemption 7\7(A): Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
50	Kobre-Kim-CFTC-0004124	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. Draft also made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
51	Kobre-Kim-CFTC-0004130	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
52	Kobre-Kim-CFTC-0004159	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding

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Bates Number		Asserted Grounds for Withholding	Portrayed Explanation for Withholding
53	Kobre-Kim-CFTC-0004178	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about settlement approval in Kraft. Draft also made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
54	Kobre-Kim-CFTC-0004184	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding
55	Kobre-Kim-CFTC-0004202	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
56	Kobre-Kim-CFTC-0004416	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
57	Kobre-Kim-CFTC-0004554	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if

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<u>Bates Number</u>		<u>Asserted Grounds for Withholding</u>	<u>Portrayed Explanation for Withholding</u>
			produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
58	Kobre-Kim-CFTC-0004555	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 77(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
59	Kobre-Kim-CFTC-0004559	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 77(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
60	Kobre-Kim-CFTC-0004565	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 77(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
61	Kobre-Kim-CFTC-0004569	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 77(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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Bates Number		Asserted Grounds for Withholding	Purported Explanation for Withholding
62	Kobre-Kim-CFTC-0004573	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding
63	Kobre-Kim-CFTC-0004651	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
64	Kobre-Kim-CFTC-0005005	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft Commission statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
65	Kobre-Kim-CFTC-0005008	Exemption 5: Deliberative Process Privilege	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
66	Kobre-Kim-CFTC-0005009	Exemption 5: Deliberative Process Privilege	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was

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Bates Number	Asserted Grounds for Withholding	Portrayed Explanation for Withholding	
			distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
67	Kobre-Kim-CFTC-0005012	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7/7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
68	Kobre-Kim-CFTC-0005172	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7/7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
69	Kobre-Kim-CFTC-0005177	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
70	Kobre-Kim-CFTC-0005178	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice

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Bates Number		Asserted Grounds for Withholding	Portrayed Explanation for Withholding
			as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
71	Kobre-Kim-CFTC-0005322	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
72	Kobre-Kim-CFTC-0005340	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
73	Kobre-Kim-CFTC-0005644	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
74	Kobre-Kim-CFTC-0005648	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of

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Bates Number		Asserted Grounds for Withholding	Portrayed Explanation for Withholding
75	Kobre-Kim-CFTC-0005764	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	<p>seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.</p> <p>Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.</p>
76	Kobre-Kim-CFTC-0005767	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	
77	Kobre-Kim-CFTC-0005837	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	<p>Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.</p> <p>Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.</p>
78	Kobre-Kim-CFTC-0005840	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	

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Bates Number	Asserted Grounds for Withholding	Purported Explanation for Withholding	
79	Kobre-Kim-CFTC-0005844	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
80	Kobre-Kim-CFTC-0005855	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
81	Kobre-Kim-CFTC-0005860	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
82	Kobre-Kim-CFTC-0005895	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
83	Kobre-Kim-CFTC-0005901	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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Bates Number		Asserted Grounds for Withholding	Portrayed Explanation for Withholding
84	Kobre-KimCFTC-0005913	Exemption 5: Work-Product Privilege Exemption 5: Deliberative Process Privilege Exemption 7(7)(A): Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
85	Kobre-KimCFTC-0005918	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7(7)(A): Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
86	Kobre-Kim-CFTC-0005990	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
87	Kobre-Kim-CFTC-0005994	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7(7)(A): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
88	Kobre-Kim-CFTC-0005999	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7(7)(A): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
89	Kobre-Kim-CFTC-0006004	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft

EXHIBIT F
Challenged Withholdings

II. DRAFT PRESS RELEASES⁷			
Bates Number		Asserted Grounds for Withholding	Portrayed Explanation for Withholding
		Exemption 5: Deliberative Process Privilege Exemption 7(C): Ongoing Enforcement Matter	contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
90	Kobre-Kim-CFTC-0006015	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7(C): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
91	Kobre-Kim-CFTC-0006019	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7(C): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
92	Kobre-Kim-CFTC-0006022	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7(C): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
93	Kobre-Kim-CFTC-0006026	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7(C): Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
94	Kobre-Kim-CFTC-0006126	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7(C): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal

EXHIBIT F
Challenged Withholdings

II. DRAFT PRESS RELEASES⁷			
Bates Number		Asserted Grounds for Withholding	Portrayed Explanation for Withholding
95	Kobre-Kim-CFTC-0006157	Exemption 5: Work-Product Privilege Exemption 5: Attorney-Client Privilege Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
96	Kobre-Kim-CFTC-0006327	Exemption 5: Attorney-Client Privilege Exemption 5: Work Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
97	Kobre-Kim-CFTC-0006778	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
98	Kobre-Kim-CFTC-0006783	Exemption 5: Attorney-Client Privilege Exemption 5: Work Product Protection Exemption 5: Deliberative Process Privilege Exemption 7\7(A): Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

EXHIBIT F
Challenged Withholdings

III. SETTLEMENT MESSAGING DOCUMENTS⁸

<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
99	Kobre-Kim-CFTC-0000381	Davis, Daniel J DDavis@cftc.gov	Grimm, Daniel DGrimm@cftc.gov Short, Michael MShort@cftc.gov McDonald, James JMcDonald@cftc.gov Lowe, Gretchen L GLowe@cftc.gov Faulk-White, Donna DFaulkWhite@cftc.gov	Schwartz, Rob RSchwartz@cftc.gov Einstman, John JEinstman@cftc.gov	RE: Update 1:11pm: WSJ Inquiry	8/16/2019 11:38	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement and contempt strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
100	Kobre-Kim-CFTC-0000411	Reinhart, Stephanie SReinhart@cftc.gov	McDonald, James JMcDonald@cftc.gov Faulk-White, Donna DFaulk-White@cftc.gov Lowe, Gretchen L GLowe@cftc.gov Short, Michael MShort@cftc.gov	Howell, Robert RHowell@cftc.gov Gradman, Susan J SGradman@cftc.gov Williamson, Scott R SWilliamson@cftc.gov	RE: Follow-up /WSJ- Kraft	8/15/2019 15:09	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
101	Kobre-Kim-CFTC-0000426	Faulk-White, Donna DFaulk-White@cftc.gov	Short, Michael MShort@cftc.gov	Lowe, Gretchen L GLowe@cftc.gov McDonald, James JMcDonald@cftc.gov	RE: MarketWatch -- Kraft	8/15/2019 13:44	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege	Email reflecting predecisional deliberative information about settlement strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could

⁸ This table contains relevant excerpts from the CFTC's *Vaughn* index. See Dkt. No. 35, Ex. 1.

EXHIBIT F
Challenged Withholdings

III. SETTLEMENT MESSAGING DOCUMENTS⁸

<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
						Exemption 7(A) Ongoing Enforcement Matter	reasonably be expected to interfere with the Kraft enforcement proceeding.	
102	Kobre-Kim-CFTC-0000428	Faulk-White, <u>Donna DFaulk-White@cftc.gov</u>	Lowe, Gretchen L <u>GLowe@cftc.gov</u> Short, Michael <u>MShort@cftc.gov</u> McDonald, James <u>JMcDonald@cftc.gov</u>	Howell, Robert <u>RHowell@cftc.gov</u> Williamson, Scott R <u>SWilliamson@cftc.gov</u> Gradman, Susan J <u>SGradman@cftc.gov</u>	RE: Update 1:11pm: WSJ Inquiry	8/15/2019 13:33	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement strategy communicated for the purposes for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
103	Kobre-Kim-CFTC-0001004	Reinhart, Stephanie <u>/O=CFTC/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENT/CN=SREI/NHART</u>	McDonald, James <u>JMcDonald@cftc.gov</u> Faulk-White, Donna <u>DFaulk-White@cftc.gov</u> Lowe, Gretchen L <u>GLowe@cftc.gov</u> Short, Michael <u>MShort@cftc.gov</u>	Howell, Robert <u>RHowell@cftc.gov</u> Gradman, Susan J <u>SGradman@cftc.gov</u> Williamson, Scott R <u>SWilliamson@cftc.gov</u>	RE: Follow-up /WSJ - Kraft	8/15/2019 15:09	Exemption 7 Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege	Email reflecting predecisional deliberative information about settlement strategy communicated for the purposes for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
104	Kim-CFTC-0001284⁹	Davis, Daniel J <u>DDavis@cftc.gov</u>	Einstman, John <u>JEinstman@cftc.gov</u> Schwartz, Rob <u>RSchwartz@cftc.gov</u>		Fwd: Update 1:11pm: WSJ Inquiry	8/15/2019 14:09	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5	Email reflecting predecisional deliberative communications about what to communicate to the public about settlement strategy related to the Kraft case. In addition the email contains information communicated for the purpose of seeking or providing legal advice

⁹ The CFTC's *Vaughn* index only lists Daniel Davis, John Einstman, and Rob Schwartz as parties to the communication. *See* Dkt. No. 35, Ex. 1 at 61. But the underlying document shows that Michael Short and Donna Faulk-White were also parties to the redacted communication.

EXHIBIT F
Challenged Withholdings

III. SETTLEMENT MESSAGING DOCUMENTS⁸

<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>
						Deliberative Process Privilege Exemption 7(A) Ongoing Enforcement Matter	regarding such communications to the public. Finally, the email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
105	Kim-CFTC-0001357	Faulk-White, Donna <u>DFaulk-White@cftc.gov</u>	Short, Michael <u>MShort@cftc.gov</u>	Fwd: Update 1:11pm: WSJ Inquiry	8/15/2019 15:07	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement strategy communicated for the purposes for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
106	Kim-CFTC-0001368	Faulk-White, Donna <u>/O=CFTC/OU=EXC_HANGE</u> <u>ADMINISTRATIVE</u> <u>GROUP</u> <u>(FYDIBOHF23SPDLT/CN=RECIPIENT</u> <u>TS/CN=FAU</u> <u>LK-WHITE,</u> <u>DONNA0E9</u>	Short, Michael <u>MShort@cftc.gov</u>	Michael? RE: EXTERNAL Re: Re: Re: Re: from Micah/WSJ	8/15/2019 13:45	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement strategy communicated for the purposes for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
107	Kim-CFTC-0001402	Klima, Jaime <u>JKlima@cftc.gov</u>	Short, Michael <u>MShort@cftc.gov</u>	Re: Update 1:11pm: WSJ Inquiry	8/15/2019 15:23	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the

EXHIBIT F
Challenged Withholdings

III. SETTLEMENT MESSAGING DOCUMENTS⁸

<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
						Privilege Exemption 7(A) Ongoing Enforcement Matter	purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.	
108	Kim-CFTC-0001414	Short, Michael <u>/O=CFTC/OU=EXC</u> <u>HANGE</u> <u>ADMINISTRATIVE</u> <u>GROUP</u> <u>(FYDIBOHF23SPDLT/CN=RECIPIENT/CN=09F</u> <u>1D30F0676457784F</u> <u>184D196BA97C8-</u> <u>SHORT,</u> <u>MICHAEL</u>	Klima, Jaime <u>JKlima@cftc.gov</u>		FW: Update 1:11pm: WSJ Inquiry	8/15/2019 15:02	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
109	Kim-CFTC-0002121 ¹⁰	Lowe, Gretchen L <u>GLowe@cftc.gov</u>	Reinhart, Stephanie <u>SReinhart@cftc.gov</u>	Howell, Robert <u>RHowell@cftc.gov</u> Gradman, Susan J <u>SGradman</u> <u>@cftc.gov</u> Williamson, Scott R <u>SWilliamson</u> <u>@cftc.gov</u>	RE: WSJ Inquiry: Kraft	8/15/2019 12:45	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(A) Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

¹⁰ The CFTC's *Vaughn* index only lists Gretchen Lowe, Stephanie Reinhart, Robert Howell, Susan Gradman, and Scott Williamson as parties to the communication. See Dkt. No. 35, Ex. 1 at 25. But the underlying document shows that Michael Short and Donna Faulk-White were also parties to the redacted communication.

EXHIBIT F
Challenged Withholdings

III. SETTLEMENT MESSAGING DOCUMENTS⁸

<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
110	Kim-CFTC-0002124¹¹	Reinhart, Stephanie <u>SReinhart@cftc.gov</u>	Lowe, Gretchen L <u>GLowe@cftc.gov</u>	Howell, Robert <u>RHowell@cftc.gov</u> Gradman, Susan J <u>SGradman@cftc.gov</u> Williamson, Scott R <u>SWilliamson@cftc.gov</u>	RE: WSJ Inquiry: Kraft	8/15/2019 12:31	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(A) Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
111	Kim-CFTC-0003011¹²	Reinhart, Stephanie <u>/O=CFTC/OU=EXCHANGEADMINISTRATIVEGROUP(FYDIBOHF23SPDLT/CN=RECIPIENT/CN=SREINHART</u>	Lowe, Gretchen L <u>GLowe@cftc.gov</u>	Howell, Robert <u>RHowell@cftc.gov</u> Gradman, Susan J <u>SGradman@cftc.gov</u> Williamson, Scott R <u>SWilliamson@cftc.gov</u>	RE: WSJ Inquiry: Kraft	8/15/2019 12:31	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(A) Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
112	Kim-CFTC-0003089¹³		Howell, Robert <u>RHowell@cftc.gov</u> Gradman, Susan J		RE: WSJ Inquiry: Kraft	8/15/2019 12:28	Exemption 5 Attorney-Client Privilege	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative

¹¹ The CFTC's *Vaughn* index only lists Stephanie Reinhart, Gretchen Lowe, Robert Howell, Susan Gradman, and Scott Williamson as parties to the communication. *See* Dkt. No. 35, Ex. 1 at 25. But the underlying document shows that Michael Short and Donna Faulk-White were also parties to the redacted communication.

¹² The CFTC's *Vaughn* index only lists Stephanie Reinhart, Gretchen Lowe, Robert Howell, Susan Gradman, and Scott Williamson as parties to the communication. *See* Dkt. No. 35, Ex. 1 at 44. But the underlying document shows that Michael Short and Donna Faulk-White were also parties to the redacted communication.

¹³ The CFTC's *Vaughn* index only lists Robert Howell, Susan Gradman, and Scott Williamson as parties to the communication. *See* Dkt. No. 35, Ex. 1 at 45. But the underlying document shows that Michael Short and Donna Faulk-White were also parties to the redacted communication.

EXHIBIT F
Challenged Withholdings

III. SETTLEMENT MESSAGING DOCUMENTS⁸

<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>
		SGradman @cftc.gov Williamson, Scott R SWilliamson @cftc.gov				Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(7)(A) Ongoing Enforcement Matter	settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
113	Kim-CFTC-0004546	Short, Michael MShort@cftc.gov	Klima, Jaime JKlima@cftc.gov	W: Update 1:11pm: WSJ Inquiry	8/15/2019 15:02	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(7)(A) Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement strategy communicated for the purposes for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
114	Kim-CFTC-0004644	Klima, Jaime JKlima@cftc.gov	Short, Michael MShort@cftc.gov	Re: Update 1:11pm: WSJ Inquiry	8/15/2019 15:23	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(7)(A) Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.